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Attorneys for Plaintiff, Andrea Love

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

ANDREA LOVE, an individual,

Plaintiff,

vs.

ELLEN STONE, an individual; and DOES 1
through 25, inclusive

Defendants.

Case No.: 2:23-cv-3122

**COUNSEL JASON M. INGBER'S
SUPPLEMENTAL DECLARATION RE IN
PERSON MEET AND CONFER
REGARDING PLAINTIFF'S MOTION
FOR REMAND**

(28 U.S.C.S. §1447(c))

Complaint Filed: 2.28.2023

LASC Case No.: 23STCV04399

1. I, Jason M. Ingber, work with RGLaywers LLP and Solomon Gresen and am co-counsel for Plaintiff for this matter and if called upon to testify could and would testify to the following under the penalty of perjury some of which has been previously set forth before this Court.

2. On May 12, 2023, defense counsel raised the idea that defendant would remove the

1 case to federal court on the basis for diversity jurisdiction. I opposed this with the statement that
2 defendant lives in Los Angeles.

3 3. On June 7, 2023, in compliance with the Local Rules I met with defense counsel in
4 their office and explained in more detail that under the legal standard defendant is unequivocally
5 a citizen of California.

6 4. I continued to do research on the relevant legal standards and followed up with
7 defense counsel over the next few days with a couple emails that outlined in extreme detail why
8 defendant is a citizen of California.

9 5. On June 12, 2023, in compliance with this Court's minute order and guided by
10 language on this Court's docket which requires "be filed no more than 3 days after the Local Rule
11 7-3 conference" a declaration as to the meet and confer in-person was filed by me before this
12 Court which again outlines the reasons defendant has no basis to be in this Federal Court.

13 6. I was not personally served (via mail, email or informally or otherwise) with
14 defense counsel's declaration that was filed on June 12, 2023.

15 7. In anticipation of filing Plaintiff's renewed motion for remand, on June 14, 2023, I
16 analyzed this Court's docket and reviewed Defense counsel's declaration which was filed in
17 regard to our meet and confer as to the filing of Plaintiff's renewed motion for remand. I read
18 defense counsel's declaration which claims that I raised new arguments as to a basis for a
19 remand back to state court. See this Court's Docket, Entry 26 at paragraph 4.

20 8. I was confused because Plaintiff's position has not changed since May 12, 2023.
21 Defendant is a citizen of California; that has always been the argument. Everything ever set
22 forth in regard to this effort to return to state court stems from the sole argument that defendant is
23 a citizen of California for diversity jurisdiction purposes.

24 9. Nonetheless, to clear any confusion and to see if there was a way to avoid arduous
25 motion practice I offered via an email on the same day (June 14) to defense counsel to meet and
26 confer in person to learn what new arguments might defense counsel be thinking Plaintiff sets
27 forth.

28 10. Defense counsel stated she was on vacation and preferred to conduct such a
conference over zoom. We agreed and had a conference on June 15, 2023. Nothing new was

1 offered except reiteration of Plaintiff's position with the benefit of additional growing clarity by
2 Plaintiff's counsel as to how egregiously improper defendant's attempt to remove this case.

3 11. Plaintiff's counsel intends to seek sanctions for the removal and resulting
4 protracted litigation surrounding the remand and has already asked once for defense counsel to
5 meet and confer in person per this Court's local rules on June 15, 2023 via email, to which
6 defense counsel has not provided a response.

7
8 I declare under penalty of perjury under the laws of the State of California that the
9 foregoing is true and correct. Executed this 16th day of June 2023, in Los Angeles, California.

10 /s/ Jason M. Ingber

11 Jason M. Ingber
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PROOF OF SERVICE

CASE NO.: 2:23-CV-3122

LASC CASE NO.: 23STCV04399

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 16200 Ventura Boulevard, Suite 216, Encino, CA 91436.

On June 16, 2023 I served the foregoing documents described as: **COUNSEL JASON M. INGBER'S SUPPLEMENTAL DECLARATION RE IN PERSON MEET AND CONFER REGARDING PLAINTIFF'S MOTION FOR REMAND** on the interested parties as follows:

SEE ATTACHED SERVICE LIST

- () **By Envelope** - by placing () the original () a true copy thereof enclosed in sealed envelopes addressed as above and delivering such envelopes:
- () **By Mail:** As follows: I am "readily familiar" with this firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid at West Hollywood, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.
- (X) **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an agreement of the parties to accept service by e-mail or electronic transmission, I caused the documents to be sent to the person(s) at the e-mail address listed above. My electronic notification address is zs@rglawyers.com. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.
- (X) **STATE** I declare under penalty of perjury under the laws of the State of California that the above is true and correct. I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on June 16, 2023 at Encino, California.

/s/ Jason M. Ingber
JASON M. INGBER

PROOF OF SERVICE LIST
CASE NO.: 2:23-CV-3122
LASC CASE NO.: 23STCV04399

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